

REMARKS

INTRODUCTION

In accordance with the foregoing, claim 1 has been amended. Claims 3, 5, 8 and 9 have been cancelled. Claims 1, 2, 4, 6 and 7 are pending and under consideration.

CLAIM REJECTIONS

Claims 1-8 were rejected under 35 USC 103(a) as being unpatentable over Lo (US 6,493,880) (hereinafter "Lo").

Claim 9 was rejected under 35 USC 103(a) as being unpatentable over Lo in view of Uno et al. (US 2004/0016041) (hereinafter "Uno").

Claims 1-7

Amended claim 1 recites: "...the at least one non-covered stretch yarn is a non-covered spandex yarn which is not covered by any covering yarn and the plurality of non-stretch yarns are synthetic yarns which are selected from the group consisting of Nylon, Polyester, Polyethylene Terephthalate (PET), Polyethylene (PE), and Polypropylene (PP)." Support for this amendment may be found in at least original claims 3 and 5.

The Office Action relies on Lo and Uno to discuss these features of claim 1. However, it is respectfully noted that although Lo and Uno discuss nylon and polyester, neither of these references discuss Polyethylene Terephthalate (PET), Polyethylene (PE), and Polypropylene (PP).

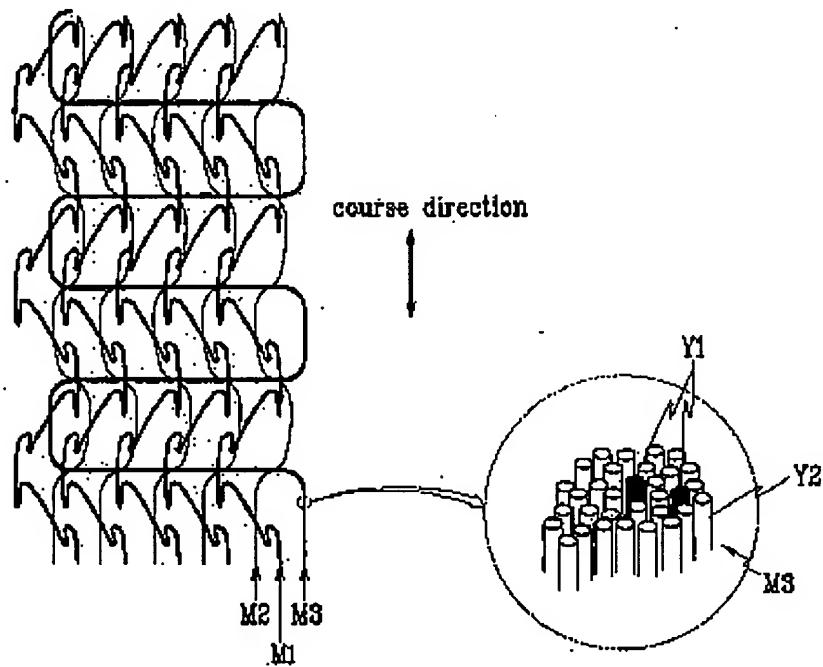
Further, it is respectfully submitted that neither of Uno and Lo discuss the feature of claim 1 where the at least one non-covered stretch yarn is a non-covered spandex yarn which is not covered by any covering yarn.

In the Office Action, the Examiner requested that the Applicant be more specific in their argument regarding the non-covered stretch yarn feature of claim 1. As shown above, claim 1 has been amended to clarify that the at least one non-covered stretch yarn is a non-covered spandex yarn which is not covered by any covering yarn. It is respectfully submitted that nowhere in Lo or Uno is this feature of claim 1 discussed.

More specifically, it is respectfully submitted that Lo only discusses a spandex yarn, and therefore the feature of claim 1 of at least one non-covered stretch yarn which is a non-covered spandex yarn that is not covered by any covering yarn is not taught or suggested by Lo.

For exemplary purposes only, the Examiner is respectfully requested to view Figure 3 of the present application, which is reproduced below, which shows an example of the stretchable warp knitted mesh. Because the thread M3 is stretchable, and it is made up of at least one non-covered stretch yarn Y1 and a plurality of non-stretch yarns Y2, the thread M3 has a grain which looks as if many lines of the synthetic yarns are disposed in their lengthwise direction. By contrast, conventional stretchable thread is produced with a spandex yarn at its core and non-stretch yarns twisted around the core to cover the spandex yarn, so its grain looks different than the thread M3.

[Figure 3 of present application]



In contrast to claim 1, conventional stretchable thread, as shown in Lo and Uno, is produced with a **spandex yarn at its core and non-stretch yarns twisted around the core to cover the spandex yarn**, so its grain looks different than the thread of the present invention as recited in claim 1.

Claims 3 and 5 have been cancelled. Claims 2, 4, 6 and 7 depend on claim 1 and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

Claims 8 and 9

Claims 8 and 9 have been cancelled.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

Jan 8, 2010

By: Gregory W. Harper
Gregory W. Harper
Registration No. 55,248

1201 New York Avenue, NW, Seventh Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501